

(Reference Page 11, lines 18-24)

Paragraph (3) may be interpreted as authorizing GSA to determine the use of ADP and Telecommunications equipment by an agency and to directly influence the agencies budgets. This extraordinary authority to GSA appears contrary to the intent of the Brooks Bill, would confuse the decision-making process and may incumber the agencies ability to perform the assigned missions. ADP is but one element within the systems needed to satisfy the agencies missions, albeit an important one. On occasion, conflict will exist between an agencies mission responsibility and GSAs procurement responsibility. OMB must be the independent agency at the pinnacle of the bureaucracy that is authorized to determine trade offs necessary to accomplish the mission at the lowest cost in total perspective. It must also remain the constituted agency to adjudicate disputes between any agency and GSA and as such must be unincumbered to render the objective decisions determined to be in the overall best interest to the Government. However, GSA's role in supporting OMB is recognized and we believe the following changes will accomplish that role and yet not disrupt the proper decision-making process.

Change the word "coordinate" on line 18 to "consultation." Place a period after the word "equipment", line 21 and delete the remainder of that paragraph. Insert a paragraph (4) "Review agency proposals for acquisition and use of such equipment. GSA upon the request of the director will provide agency data pertaining to acquisitions of such equipment."

(Reference Page 12, lines 5-10)

By exact interpretation the burden this paragraph would place on OMB and the agencies would be overwhelming. For example, an agency reorganizing one of their data processing installations to have the tape librarian also perform as a customer representative would require OMB review. We believe the word "procedures" in line 6 should be changed to policy.

(Reference Page 13, lines 8-12)

This may be interpreted as having OMB direct an agency's auditors and further authorizing assigning one agency's auditors to inspect another agency. The internal audit function is critically important to the agency head for independent reviews to surface and correct problems before they become significant. Mitigating the ability of the agency head to assign auditors at his/her discretion will lead to a degradation of the agency's audit capability. The long term results could be disastrous. The authority to require audits as stated on line 8 coupled with the use of the GAO should be sufficient audit

control. Suggest replacing the comma after the word "systems" with a period on line 8 and deleting the remainder of the paragraph.

(Reference Page 13, lines 24-25; Page 14, lines 1-2)

This section requiring the OMB and GSA to develop a 5-year plan may be interpreted as an independent action on the part of CMB and GSA. We believe the intent was to provide a plan to support agency's needs over the 5-year period. Suggest replacing the phrase "in consultation with the Administrator of General Services" with "based on an Agency's plans."

(Reference Page 16, lines 12-17)

This section places the burden for acquisition of ADP and Telecommunications on the senior official designated to carry out the primary responsibilities of the Bill. Combining the functions of procurement with oversight management will be disruptive to many existing organizational structures and management processes. The individual designated in subsection (b) has sufficient management authority and leverage to insure compliance with the Bill's intent by the implied responsibilities under subsection (c)(1), (2), and (3). Suggest deleting paragraph (4), lines 12-17 page 16, and add "acquisition, procurement," after the word "directing" on line 2, page 16.

(Reference Page 18, lines 21-23)

The term "program" has many definitions spanning the spectrum from a specific acquisition to the agencies prime mission. It is safe to say that no senior manager is independent of some agency program depending on the definition used. We question whether the restriction of "independence from any program responsibility" is necessary to insure the senior official objectively executes the duties assigned to him in this Bill. Suggest deleting the words on line 22 starting with "has" through the word "responsibility" on line 23. As an alternative, recommend defining the term "program" in §3502, Definitions.

(Reference Page 23, lines 16-17)

Agencies have the inherent responsibility to conduct internal investigations to evaluate compliance with the law. The results of these reviews could be made available to OMB, if required. OMB has been granted sufficient direction and leverage by Section 3504(b) to investigate an agency's compliance in a selective or periodic basis if required. Suggest deleting paragraph (a) and changing the (b) on line 24 to (a).

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Delete the words "the results of the inspections" on lines 24 and 25 and substitute "agency compliance with this chapter."

As an alternative, we recommend deleting the use of GSA to assist the Director in selective inspections. As written GSA is in the position of evaluating their own influence on the system. This may be conceived by evaluators that the reviews were less than objectively conducted. In addition, the concern expressed above (first paragraph) in the relative relationship between OMB and GSA and the agencies holds here as well. Suggest deleting the words "with the advise and assistance of the Administrator of General Services."